

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

ENTROPIC COMMUNICATIONS, LLC

*Plaintiff,*  
v.  
CHARTER COMMUNICATIONS, INC.,  
*Defendant.*

Civil Action No. 2:22-CV-00125-JRG

**JURY TRIAL DEMANDED**

**DECLARATION OF JAMES A. SHIMOTA IN SUPPORT OF  
ENTROPIC'S MOTION FOR SUMMARY JUDGMENT OF NO INVALIDITY UNDER  
35 U.S.C. §§ 102 AND 103**

I, James A. Shimota, declare:

1. I am a Partner with the law firm of K&L Gates LLP, and I am counsel of record for Plaintiff Entropic Communications, LLC (“Entropic”) in the above-captioned matter. I am submitting this declaration in support of Entropic’s Motion for Summary Judgment of Non-Invalidity under 35 U.S.C. §§ 102 and 103. I have personal knowledge of the matters stated herein and, if called to testify to such matters, I could and would testify hereto.

2. Attached as Exhibit A is a true and correct copy of Defendant’s Opening Expert Report of Steven H. Goldberg Regarding Invalidity (“Opening Report” or “Op. Rep.”), which was served on Entropic on July 21, 2023.

3. Attached as Exhibit B is a true and correct copy of Defendant’s Supplemental Expert Report of Steven H. Goldberg Regarding Invalidity (“Supplemental Report” or “Supp. Rep.”), which was served on August 14, 2023.

4. Attached as Exhibit C is a true and correct copy of selected excerpts of the deposition transcript of Steven H. Goldberg, which was taken on August 22, 2023.

5. Attached as Exhibit D is a true and correct copy of U.S. Pat. No. 7,522,901 (“Dauphinee”) bearing Bates number CHARTER\_ENTROPIC00380676.

I certify under penalty of perjury under the laws of the United States that the foregoing statements are true and correct. Signed this 11th day of September, 2023.

/s/ James A. Shimota  
James A. Shimota